

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL J. VAN MILL and SHIELA L. VAN
MILL, husband and wife,

Plaintiffs,

v.

WRIGHT MEDICAL TECHNOLOGY, INC., a
foreign corporation,

Defendant.

CASE NO. C03-2989RSM

ORDER ON MOTION TO COMPEL

This matter is before the Court on plaintiffs' motion to compel production of documents and answers to interrogatories. The Court finds that counsel's compliance fails to comply with the certification requirements of F.R.Civ. Proc. 37 (a)(2)(A) and Local Rule CR 37(a)(2)(A). Counsel simply states that "there have been a number of good faith conferences . . . These conferences have been accomplished by telephone, in person and by correspondence." Dkt. # 40. This certification wholly fails to sufficiently "detail the efforts to confer and explain why they proved fruitless." Prescient Partners, L.P., v. Fieldcrest Cannon, Inc., 1998 WL 67672 (S.D.N.Y. 1998); *citing* Tri-Star Pictures, Inc., v. Unger, 171 F.R.D. 94, 99 (S.D.N.Y. 1997). Further, the certification must "accurately and specifically convey to the court who, where, how, and when the respective parties attempted to personally resolve

1 the discovery dispute.” Shuffle Master, Inc., v. Progressive Games, Inc., 170 F.R.D. 166, 170 (D. Nev.
2 1996). Accordingly, plaintiff’s motion to compel (Dkt. # 37) is DENIED.

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4 DATED this 19 day of April, 2005.

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8 RICARDO S. MARTINEZ
9 UNITED STATES DISTRICT JUDGE
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